

**BOARD OF ZONING APPEAL
MUNICIPAL CENTER COUNCIL CHAMBERS
Tuesday, March 10, 2015
6:00 p.m.**

The regular meeting of the Board of Zoning and Appeal was scheduled and held in the Council Chambers of the Municipal Center on March 10, 2015. Chairman Evans called the meeting to order at 6:08 p.m. requesting the roll call. Ms. Regina Gibson called the roll of the Board and established a quorum:

COMMISSIONERS PRESENT:

Mr. Henry Evans, Chairman; Ms. Jennifer Sisson – Vice Chairman; Mr. Frank Uhlhorn; Ms. Pat Sherman; Mr. Hunter Browndyke; Mr. Mike Harless; and Alderman John Barzizza.

DEVELOPMENT STAFF PRESENT:

Mr. Cameron Ross, Economic and Development Services Director; Mr. Wade Morgan, Chief Planner; Ms. Sheila Pounder, Planner; Ms. Regina Gibson, Administrative Secretary, and Mr. Alan Strain, Attorney

The Board of Zoning Appeals is a Quasi-Judicial body and as such, the latitude for acting on applications is somewhat limited by State Statute and City Ordinance. This meeting is recorded and those appearing before the Board would need to identify themselves, give their address and be sworn in for the record.

Motions made in all meetings are of an affirmative nature and does not necessarily mean that the motion will be approved, but that the language will be in an affirmative nature when the motion is made.

1. Approval of Minutes for January 13, 2015

Mr. Uhlhorn moved to approve the Board of Zoning and Appeals minutes of January 13, 2015, seconded by Ms. Sisson, with no further comments or discussions.

ROLL CALL: Mr. Browndyke – Yes; Alderman Barzizza – Yes; Ms. Sherman – Yes; Mr. Uhlhorn – Yes; Ms. Sisson - Yes; Mr. Harless – Yes; Chairman Evans – Yes.

MOTION PASSED

2. 2931 Belgrave Drive – Request Approval of a Variance to Allow a Fence to Exceed 6 feet in Height around the Rear Yard of a lot in the “R” Low Density Residential District.

BACKGROUND:

DATE SUBDIVISION APPROVED: The Foster Ridge subdivision was approved by the Germantown Planning Commission on March 3, 1981.

DATE PRINCIPLE STRUCTURE APPROVED/BUILT: The home was constructed in 1982.

PREVIOUS VARIANCE REQUESTS: none

DISCUSSION:

NATURE OF VARIANCE REQUESTED: The specific request by the applicant is to allow a wood fence along the rear and side lot lines to be up to 8 feet in height. The proposed 8 foot fence will extend for approximately 100 feet along the north lot line, abutting 7641 Foster Ridge, and approximately 150 feet along the west lot line, abutting 2918 Green Pastures Cove S.

SPECIFIC SECTIONS OF ZONING ORDINANCE: The specific request is a variance from §6-102(a) of the Code of Ordinances, which states, “the maximum height of any fence shall be six (6) feet.” The applicants’ fence exceeds six (6) feet in height by an additional two feet.

APPLICANT'S JUSTIFICATION: The applicant states "the neighbor's yard to the north and west back yards are at a level where a standard 6 ft. height fence does not give adequate privacy to my back yard and pool areas. 8 ft. requested to give more privacy." The applicant has provided several photos to illustrate the views from and into his back yard.

STAFF COMMENTS:

1. The applicant has provided several photos to illustrate the views from and into his back yard. If the variance request is approved, the applicant must apply for a fence permit through the Department of Economic and Community Development.

PROPOSED MOTION: To approve a variance for 2931 Belgrave Drive to allow an eight foot tall fence along the west and north rear property lines, subject to staff comments and the plans submitted with the application.

Mr. Stan White requested to withdraw this item for 90 days.

WITHDRAWN BY APPLICANT

ADJOURNMENT

There being no further business, comments, or questions by the Commission, the Chairman adjourned the meeting at 6:10 p.m.